

By



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,380	03/14/2001	Nobuyuki Katada	14389	3316
23389	7590	09/01/2005	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			DOAN, PHUOC HUU	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/808,380	Applicant(s) KATADA, NOBUYUKI	
	Examiner PHUOC H. DOAN	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3, 6 and 9-12 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 7 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07/01/2005 have been fully considered but they are not persuasive.

Applicant's remarks: Borland does not disclose or suggest display the total number of cases of the retrieved data, the total number of cases **being a number of times** that a number represented by an item of the retrieved data called the portable telephone set and was called by the portable telephone set.

Examiner's response: Borland discloses the components in Fig. 1 may be provided in cellular phone (col. 3, lines 46-47). When a call is received, the communication device receives Caller ID information "the device has displayed on the display". The Caller ID information may be used by communication device to update the priority field 209 associated with the directory entry 206 for the particular caller (col. 5, lines 13-15). In one embodiment the priority information includes a value which indicates the **number of times a call** from a particular number has been received (col. 5, lines 44-62).

Applicant's remarks: Borland does not disclose or suggest usage information corresponding to incoming calls received from a particular number or party made to the portable telephone device.

Examiner's response: Borland discloses in (col. 6, lines 10-16, for example, a time may be extracted from Caller ID information provided with an incoming call). Borland also discloses the information displayed may be optimized base on the most frequently called numbers, the most frequently **used number corresponding** to the first number dialed will be displayed first (col. 6, lines 45-55).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims **1, 4, and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Blanchard et al. (US Patent No: 6,408,191)** in view of **Borland (US Patent No: 6,320,943)**.

As to **claim 1**, Blanchard et al. disclose a retrieved telephone number displaying method for a portable telephone set (FIG. 2, item 200, col. 7, lines 35-

45) for retrieving telephone numbers and other data registered in the portable telephone set and displaying the retrieved data in a display of the portable telephone set (FIG. 4, item 401).

However, Blanchard et al. do not specifically disclose that wherein the data retrieved are display in a predetermined sequence is together with the total number of cases of the retrieved data, the total number of cases being a number of times that a number represented by an item of the retrieved data called the portable telephone set and was called by the portable telephone set.

Borland specifically discloses that that wherein the data retrieved are display in a predetermined sequence is together with the total number of cases of the retrieved data (col. 8, lines 4-40), the total number of cases being a number of times that a number represented by an item of the retrieved data at least one of called the portable telephone set and was called by the portable telephone set (col. 8, lines 28-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the total number of cases being a number of times that a number represented by an item of the retrieved data at least one of called the portable telephone set of Borland to the system of Blanchard et al. in order to provide in store a directory of telecommunications numbers and identification information associated with each of the

telecommunication numbers and a user interface for inputting one or more numbers of a telecommunications number to be called.

As to claim 4, this claim is rejected for the same reason as set forth in claim 1.

As to claim 7, Blanchard et al. disclose a portable telephone set (FIG. 2, item 200) comprising a CPU (FIG. 1, item 113), a memory (FIG. 1, item 112) for storing such data as telephone numbers and names, and a display (FIG. 2, item 210) for storing the stored data, wherein the CPU retrieves the data stored in the memory in a predetermined sequence (FIG. 3, item 331).

However, Blanchard et al. do not specifically disclose that displays the data retrieved in the predetermined sequence together with the total number of cases of the retrieved, the total number of cases being a number of times that a number represented by an item of the retrieved data called the portable telephone set and was called by the portable telephone set.

Borland specifically discloses that displays the data retrieved are display in the predetermined sequence together with the total number of cases of the retrieved (col. 8, lines 4-40), the total number of cases being a number of times that a number represented by an item of the retrieved data at least one of called the portable telephone set and was called by the portable telephone set (col. 8, lines

28-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the total number of cases being a number of times that a number represented by an item of the retrieved data at least one of called the portable telephone set of Borland to the system of Blanchard et al. in order to provide to store a directory of telecommunications numbers and identification information associated with each of the telecommunication numbers and a user interface for inputting one or more numbers of a telecommunications number to be called.

4. Claims **2, 5 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchard (U.S. Patent No. 6, 408, 191) in view of Borland as applied to claims 1 and 7 respectively, further in view of **Cushman (U.S. Patent No. 6, 125, 287)**.

As to **claims 2, 5 and 8**, Blanchard discloses the retrieved telephone number displaying method or system for a portable telephone set according to claim 1, 4 and 7 respectively, wherein the data retrieved in the predetermined sequence (figure 3, number 331) is displayed together with the total number of cases of the retrieved data (figure 4, numbers 401-404). However, Blanchard fails to disclose rearranging in a sequence of greater number of times of utilization and displaying in the sequence of greater number of times of utilization in the rearranged

sequence. But, Cushman discloses rearranging in a sequence of greater number of times of utilization (column 3, line 56-63, figures 5a, and 6f) and displaying (figure 2g-2k) in the sequence of greater number of times of utilization (figure 2a) in the rearranged sequence (figures 5a and 6f, and column 10, lines 63 through column 11, lines 25). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Blanchard (U.S. Patent No. 6, 408, 191) and Borland with Cushman (U.S. Patent No. 6, 125, 287) in order to save time.

Therefore, the combination the above teachings of Blachard, Borland and Cushman, meets the claimed limitations and would resemble the invention of the applicant.

Allowable Subject Matter

5. Claims **3, 6, and 9-12** are allowed.

As to claim 3, 6, and 9, the prior art of record in alone, or combination do not disclose wherein the data retrieved in the predetermined sequence is data retrieved by a Japanese 50-kana sequence retrieval method, a kana affixing retrieval method, a group retrieval method or a telephone number inputting retrieval method.

Dependent claims 10-12 are allowed for the same reason.

Conclusion

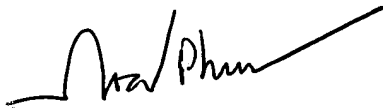
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC H. DOAN whose telephone number is 571-272-7920. The examiner can normally be reached on 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER G. KINCAID can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phuoc Doan
08/24/05


SONNY TRINH
PRIMARY EXAMINER